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Attorneys for Defendant-Counterclaimant
FREESCALE SEMICONDUCTOR, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

MEDIATEK INC.,

Plaintiff,

v.

FREESCALE SEMICONDUCTOR, INC.,

Defendant.

Civil Action No. 4:11-cv-05341 (YGR)

**DECLARATION OF MARK PATRICK
IN SUPPORT OF MEDIATEK INC.'S
STIPULATED ADMINISTRATIVE
MOTION TO FILE DOCUMENTS
UNDER SEAL, DOCKET NO. 393**

1 I, Mark Patrick, declare as follows:

2 1. I am Law Director, Intellectual Property for Freescale Semiconductor, Inc.
3 (Freescale). I submit this declaration in support of MediaTek's Stipulated Administrative Motion
4 to File Documents Under Seal (Motion to Seal), Dkt. No. 393, pursuant to Local Rules 7-11 and
5 79-5. I have personal knowledge of the facts set forth in this declaration and, if called to testify as
6 a witness, could and would do so competently.

7 2. MediaTek seeks to file under seal Plaintiff MediaTek Inc.'s Notice of Motions and
8 Motions In Limine Numbers 1-11 (Motions), the Declaration of Brett Hammon In Support of
9 MediaTek's Motions (Hammon Declaration), and Exhibits 4, 5, 7, 8, 9, and 11 to the Hammon
10 Declaration. Attached as Exhibit A to this declaration is the version of Exhibit 7 to the Hammon
11 Declaration with Freescale's proposed redactions highlighted in yellow.

12 3. **Litigation Information, Technical Information About Freescale's Accused**
13 **Products.** The highlighted portions on page 2 of MediaTek's Notice of Motions, on pages i, 32-
14 35 of MediaTek's Motions, on page 1 of the Hammon Declaration, on page 61 of Exhibit 11 to
15 the Hammon Declaration, and the entirety of Exhibits 8 and 9 to the Hammon Declaration discuss
16 highly confidential information about Freescale's litigation and licensing. This confidential
17 information had been derived from Exhibits 8 and 9 to the Hammon Declaration, FSL-03061628
18 and FSL-02424082, which Freescale stamped "Highly Confidential – Attorneys' Eyes Only"
19 before producing to MediaTek. The highlighted portions on pages 21-22, 29-31 (with the
20 exception of the sentence at 30:9-11), and 37 of MediaTek's Motions and the portions of Exhibit
21 7 of the Hammon Declaration highlighted in Exhibit A to this declaration discuss highly
22 confidential information about third parties' end products incorporating Freescale accused
23 products and how technology is implemented on those products. This confidential information
24 had been derived from conversations on technical features of Freescale accused products
25 disclosed in the Expert Report of Brett Reed, which had been designated "Highly Confidential –
26 Attorneys' Eyes Only."

27 4. Disclosure of the confidential information from MediaTek's Notice of Motion,
28 Motions, and Exhibits 7, 8, 9, and 11 to the Hammon Declaration would significantly harm

